IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Crl.MC.No. 1575 of 2007()

CC.475/2005 of JUDL.MAGISTRATE OF FIRST CLASS-I, KOLLAM

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PETITIONER: ACCUSED

SANDHYA P.NAIR,
W/O.SANTHOSH KUMAR, AGED 32 YEARS,
SANTHOSH BHAVAN, EDAVATTOM, EZHUKONE P.O.,
KUNDARA, KOLLAM DISTRICT.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENTS: STATE

THE STATE OF KERALA,
REP. BY THE S.I. OF POLICE,
KUNDARA POLICE STATION, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.V.T.K.MOHANAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.M.C.NO.1575 OF 2007

Dated this the 18th day of May 2007

ORDER

The petitioner is the accused in C.C No. 475/2005 of the Judicial First Class Magistrate Court, Kollam with respect to the offence under Section 138 of the Negotiable Instruments Act. It is submitted that he did not receive summons so far. It is apprehended that he may be an order of pre-trial detention on his appearance. Hence he has sought for a direction to the court below that he may not be ordered to be detained on his appearance.

In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail on the date of appearance of the petitioner itself. The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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